

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 L-03 /032 W

----- 114322

R 091730Z JUL 75

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 2726

INFO AMEMBASSY BERN

AMEMBASSY VIENNA

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E.O. 11652: N/A

TAGS: EAIR, UK

SUBJ: CIVAIR - TWA DESIGNATION ON ROUTE 2

REF: STATE 150477

1. RATHER THAN PROPOSING A MODIFICATION TO THE "UNDER-
STANDING" REGARDING TWA'S OPERATIONS ON ROUTE 2 (WHICH
MIGHT BE INTERPRETED TO IMPLY THAT BRITISH HAVE RIGHT TO
REJECT SUCH PROPOSAL), WE WOULD SUGGEST THAT INSTEAD WE
WRITE TO DEPARTMENT OF TRADE, IN ACCORDANCE WITH PROCE-
DURES SET OUT IN ATTACHMENT L OF EXCHANGE OF LETTERS OF
MAY 27, 1966, INFORMING DOT OF OUR INTENTION TO ALTER THE
SCOPE OF TWA'S ROUTE 2 OPERATIONS. THIS IS PROCEDURE EN-
VISIONED IN LEGOY LETTER OF AUGUST 24, 1966 AND BROWN'S
LETTER OF FEBRUARY 4, 1975 TO TWA. ALTHOUGH ATTACHMENT 1
GIVES UK RIGHT TO CALL FOR CONSULTATIONS WE DO NOT SEE
HOW POSSIBILITY OF CONSULTATIONS CAN BE AVOIDED IF BRIT-
ISH ARE OF A MIND TO DELAY IMPLEMENTATION OF TWA'S LONDON
VIENNA SERVICES. WE ALSO BELIEVE IT MAY BE UNWISE BOTH
TACTICALLY AND FOR REASONS OF PRECEDENT FOR US TO PROPOSE
INITIALLY AT LEAST, TEMPORARY DELETION OF TWA'S FRANKFURT
AUTHORITY AND A TERMINATION DATE FOR TWA'S VIENNA AUTHOR-
ITY. ALTHOUGH THESE CONDITIONS MAY MAKE PROPOSAL SLIGHTLY
MORE PLATABLE TO BRITISH, THEY ARE AWARE OF TERMS AND
CONDITIONS OF CAB APPROVAL OF PANAM-TWA ROUTE SWAP AND
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KNOW WHEN TWA'S VIENNA AUTHORITY WILL LAPSE AND HOW LONG

FRANKFURT SUSPENSION IS EFFECTIVE.

2. WE WOULD SUGGEST RCAA SEND ROGERS A LETTER ALONG
FOLLOWING LINES:

"WITH REFERENCE TO THE EXCHANGE OF LETTERS OF AUGUST 24,
1966 BETWEEN MR. MEADOWS AND MR. LEGOY AND IN ACCORDANCE
WITH THE PROCEDURE SET OUT IN ATTACHMENT 1 TO THE EXCHANG
OF LETTERS OF MAY 27, 1966 BETWEEN MR. LOY AND MR. BURNS,
I AM WRITING TO ADVISE YOU OF THE INTENTION OF THE US
GOVERNMENT TO CHANGE THE SCOPE OF ITS DESIGNATION OF TRANS
WORLD AIRLINES ON U.S. ROUTE 2 OF THE US-UK AIR SERVICES
AGREEMENT OF 1946, AS AMENDED.

"THE LIMITED PURPOSE OF THE CHANGE THE US GOVERN-
MENT HAS IN MIND IS TO ENABLE TRANS WORLD AIRLINES TO
OPERATE COMBINATION SERVICE OVER LONDON TO VIENNA. AS
YOU KNOW, THAT AIRLINE ACQUIRED US AUTHORITY TO SERVE
VIENNA AS A RESULT OF US CIVIL AERONAUTICS BOARD APPROVAL
ON JANUARY 30, 1975 OF A TEMPORARY ROUTE REALIGNMENT
AGREEMENT BETWEEN PAN AMERICAN WORLD AIRWAYS AND
TRANS WORLD AIRLINES.

"I WOULD APPRECIATE IT IF YOU WOULD LET ME KNOW AS
SOON AS POSSIBLE WHETHER HER MAJESTY'S GOVERNMENT WISHES
TO REQUEST CONSULTATIONS CONCERNING THIS CHANGE."

3. AS WE HAVE PREVIOUSLY REPORTED, LONDON-VIENNA IS
SENSITIVE SECTOR AS FAR AS BRITISH ARE CONCERNED. BECAUSE
OF CAPACITY PROBLEMS ENCOUNTERED WITH AUSTRIANS,
BRITISH WOULD BE EMBARRASSED TO BE SEEN TO BE AUTHORIZING
A NEW, FIFTH FREEDOM OPERATOR ON THE ROUTE. ANOTHER FACTO
INFLUENCING BRITISH ATTITUDE TOWARD TWA VIENNA PERMIT IS
CONTINUING IRRITATION OVER USG FAILURE TO ISSUE LAKER SKY

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R 091730Z JUL 75

FM AMEMBASSY LONDON
TO SECSTATE WASHDC 2727
INFO AMEMBASSY BERN
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TRAIN PERMIT EVEN THOUGH TWO AND ONE-HALF YEARS HAVE NOW
PAST SINCE UK FIRST DESIGNATED LAKER AIRLINES FOR SKYTRAIN
EXPERIMENT. WHILE IT IS TRUE BRITISH ARE NO LONGER PRES-
SING US FOR ISSUANCE OF SKYTRAIN PERMIT BECAUSE OF UK
AVIATION POLICY REVIEW, FACT REMAINS BRITISH AVIATION
AUTHORITIES, VIRTUALLY WITHOUT EXCEPTION, REGARD US FAIL-
URE ISSUE PERMIT AS BREACH OF BILATERAL AGREEMENT. BECAUSE
OF THESE CONSIDERATIONS, WE BELIEVE THERE IS FAIR CHANCE
THAT BRITISH WILL DELAY INITIATION OF LONDON-VIENNA SER-
VICE BY TWA.

4. IF DEPARTMENT BELIEVES IT WORTHWHILE TO ATTEMPT TO
SMOKE-OUT BRITISH REACTION TO VIENNA OPERATIONS, WE
COULD INFORMALLY DISCUSS WITH ROGERS OR KEMMIS POSSIBILITY
OF EXCHANGE OF LETTERS SIMILAR TO THAT WHICH TOOK PLACE
IN AUGUST 1966. OUR ONLY RESERVATION ABOUT DOING THIS IS
THAT IF BRITISH WISH TO DELAY TWA SERVICE, AND THIS IS
NOT UNLIKELY, THEN BRITISH COULD TAKE OUR PROPOSAL "UNDER
CONSIDERATION" AND POSTPONE REPLY AS LONG AS POSSIBLE.
ADVANTAGE OF STRAIGHT-FORWARD WRITTEN NOTICE (WHICH WE
WOULD, AS A COURTESY, INFORM THEM OF IN ADVANCE) IS THAT
IT TRIGGERS 60-DAY CONSULTATION PROVISION. THEN, IF BRIT-
ISH HAVE NO PROBLEM THEY WILL NOT DELAY REPLY, WHEREAS
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IF THEY INTEND TO GIVE US A BAD TIME, WE WILL AT LEAST
HAVE PROCEDURAL MACHINERY IN MOTION.

5. WOULD APPRECIATE DEPARTMENT'S VIEWS ON ABOVE SUGGEST-
IONS.

RICHARDSON

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